

**Puerto Rico Commonwealth Law
Laws of PR Ann.**

**Title 24; Chapter 111. Controlled
Substances Act of Puerto Rico**

2516. * * * carrying firearms. No person who has been convicted of a felony under this chapter or of any law of the United States or of any state in connection with narcotic drugs, marijuana, depressant or stimulant substances as well as of any foreign country and any person who has been declared addicted to narcotic drugs, may obtain a license from the corresponding authority to * * * hold, possess or carry firearms for a term if five years from and after the serving of the sentence imposed by said conviction or after the date of the declaration. Officers or public employees in charge of the issuance said licenses shall be prevented from extending them, whenever any of the circumstances expressed above may concur in the applicant for the license and any such licenses which have been issued prior to the conviction or declaration that the person is addicted to narcotic drugs shall immediately be canceled by the corresponding authority. * * * *

Title 25; Chapter 51. Weapons

411. Regulations of weapons - Short title. This chapter shall be known as the "Weapons Law of Puerto Rico".

412. Manufacture and distribution of weapons and ammunition. Ammunition shall not be manufactured, caused to be manufactured, or imported, offered, sold, lent or transferred unless a license is held therefor under sections 411-454 of this title; neither shall any gun, revolver, pistol or any firearm * * * shall be manufactured or caused to be manufactured, imported, offered, sold, leased, lent or transferred, unless a license is held therefor under sections 411-454 of this title. * * * *

413. Commerce in automatic firearms. Any person who sells or keeps for sale, or offers, gives, leases or loans, or otherwise disposes of or transports any firearm or instrument that may be fired automatically, regardless of whether it is called a machinegun or something else, shall be guilty of a felony. This type of crime shall not apply to the manufacture, sale or delivery of machineguns or any other firearm that may be fired automatically, to be used by the police and other peace officers or employees of Government of Puerto Rico or the United States, in prisons, penitentiaries, state or municipal jails or by the Armed Forces of the Government of the United States or Puerto Rico. * * * *

415. Possession or illegal use of automatic firearms. Any person who possesses or uses a machinegun, carbine, rifle or sawed-off shotgun or any other modification of these, or any other firearm that may be fired automatically and cause grave bodily harm, without legal authority shall be guilty of a felony. This type of crime shall not be applicable to the possession or use of these weapons in the discharge of their official duties by members of the

Police, the warden, the superintendent or any of their deputies in any prison, penitentiary, district or municipal jail, or any other institution for the detention of persons convicted of or charged with any offense or held as witnesses in criminal cases, including marshals and assistant marshals or any other public peace officers; nor shall it apply to the possession or use of these weapons by any person when on duty in the service of the Armed Forces of the United States in Puerto Rico, or in the postal, customs and immigration service of the United States, or in any service of the Government of the United States authorized by the law of its creation to use such weapons, nor to the possession by common carriers while the latter transports them directly for delivery at any point for the use of the officers or persons mentioned above. * * * *

416. Possession of pistol or firearm without license. Any person who has or possesses any pistol, revolver, or other firearm without having a license therefor issued as hereinafter provided, shall be guilty of a misdemeanor and, if previously convicted of any violation of this chapter, or of any of the offenses specified in section 427 of this title, or uses the weapon in the commission of any such offenses, shall be guilty of a felony. * * * *

420. Possession or sale of silencer. Any person who has in his possession, sells, or keeps for sale, loans, offers, gives or disposes of any instrument, attachment, weapon or appliance, for causing the firing of any firearm to be silent or intended to lessen or muffle the noise of the firing of any firearm, shall be guilty of a felony. The provisions of this section shall not apply to the members of the Police of Puerto Rico or the National Guard, nor to the members of the armed forces of the United States.

421. Serial number or name of owner on firearm - Removal or defacement. Every firearm shall bear, so as not [to] be easily altered or defaced, the name of the gunsmith or the trade-mark under which the firearm shall be sold or the name of the importer, and furthermore a serial number or the full name of the owner engraved thereon. The requirement that every firearm shall have engraved thereon a serial number or the name of the owner thereof shall not apply to guns or rifles whose barrel is 18 inches long or more, nor to rifles .22 caliber or less, whose barrel is 16 inches long or more, manufactured in Puerto Rico to be exported abroad by the gunsmith himself. The gunsmith shall be under obligation to take all reasonable measures and precautions to prevent that such firearms be stolen or otherwise removed from the gunsmith's warehouses where they are stored pending shipment and that same be offered, held for sale, sold, leased, or delivered to any person within Puerto Rico. Any person shall be guilty of a felony who:

(a) Wilfully removes, defaces, covers, alters, or destroys the serial number of any firearm or the name of the owner thereof; or who:

(b) Knowingly buys, sells, receives, alienates, transfers, carries or has in his possession any firearm from which the serial number or name of the owner thereof has been removed, defaced, altered, or destroyed; or who:

(c) Being a dealer in firearms or a gunsmith, or an agent or representative of such dealer or gunsmith, knowingly purchases, sells, receives, delivers, alienates, transfers, carries, or has in his possession any firearm on which the serial number or name of the owner thereof has been removed, defaced,

covered, altered, or destroyed.

422. Possession as prima facie evidence of defacement. The possession by any person other than a public peace officer of any firearm on which the serial number or name of the owner thereof has been removed, defaced, covered, altered, or destroyed, shall be considered prima facie evidence that such person removed, defaced, covered, altered or destroyed the same. * * * *

425. License to possess firearms; weapons for farmers. * * * [Contact the Superintendent of Police for information relating to this section.] * * * *

430. Persons who may lawfully carry weapons. * * * [Contact the Superintendent of Police for information relating to this section.] * * * *

432. License to sell or deal in firearms and ammunition; report of transactions.

(a) No person shall engage in the business of gunsmith or dealer in firearms and ammunition without holding a license therefor issued by the Secretary of the Treasury upon favorable report of the Superintendent of Police of Puerto Rico. * * *

[Renewal of] the licenses of dealers and gunsmiths who have not deposited all the firearms and ammunition they have for sale in the Deposit of Firearms and Ammunition * * * shall be subject to the approval and certification of the Police, upon inspection, of the security measures required for the building where the establishment is located, pursuant to § 4045 of Title 13. * * *

(b) The provisions of the preceding subsection (a) shall likewise be applicable to dealers who introduce firearms and ammunition into Puerto Rico.

(c) Each transaction regarding the introduction, or the sale of firearms and ammunition between dealers, shall be reported to the Secretary of Justice and to the Superintendent of Police of Puerto Rico on forms which the latter shall provide, and the name, domicile, place of business, and the particulars of the license, both of the vendor and vendee, as well as the quantity and description, including serial number, of the weapons or ammunition the object of each transaction, shall be set forth therein, as may be required by the Superintendent of Police of Puerto Rico. When the firearms to be sold are deposited in the Firearms and Ammunition Deposit, said form shall be accompanied by an authorization signed and sealed by the dealer-vendor for the delivery and registration of such weapons and ammunition in the name of the dealer-vendee.

(d) A dealer in firearms and ammunition who possesses a license issued in accordance with this chapter may acquire a firearm registered in the Weapons Registry under * * * section 439 of this title, by purchase from the person who has it registered in his name, provided such person has a license to have and possess said firearms, issued in accordance with this chapter. Before a firearm is sold under the provisions of this subsection, both the vendor and the vendee shall give notice thereof in writing to the Superintendent of Police, and the former shall deliver to said officer his license to have and possess a firearm. The sale of a firearm under the provisions of this subsection shall not prevent the vendor from obtaining a new license to have and possess a firearm in accordance with this chapter.

433. Application for dealer's license; fee, manner and content. Any person wishing to obtain or transfer from its premises a license as gunsmith or dealer in firearms and ammunition shall file with the Secretary of the Treasury a sworn application accompanied by an internal revenue voucher for two hundred (200) dollars, in the manner provided by the Secretary of Justice.

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434. Qualifications of dealer applicant. No license as gunsmith or dealer in firearms and ammunition shall be issued to a person not over 21 years of age, and not a citizen of Puerto Rico and of the United States. * * * *

436. Conditions for dealers' operations; records of transactions. Any person, partnership or corporation, to whom a license has been issued under the foregoing section may engage in the retail sale of firearms and ammunition or in the business of gunsmithing under the following conditions:

1. The business shall be operated only on the premises specified in the license. Dealers in firearms who have not received certification from the Police of their compliance with the security measures in section 432 of this title and in section 45 of Act Jan. 20, 1956, No. 2 may not keep any weapon in said store except those that the dealer or his employees are authorized to possess or to carry, according to the provisions of this chapter. In said cases, weapons sales shall be made exclusively by catalogue or by displaying models made of plastic, plaster or any other material, as long as these models are not transformable into firearms, as the term "firearm" is defined in section 454 of this title, while they are displayed, or afterwards. Likewise, said dealers shall be obliged to deposit in the General Headquarters of the Puerto Rico Police any weapon coming into their hands on the same day such thing occurs. * * * *

2. No gunsmith shall receive any weapon for repair, modification, cleaning, engraving, polishing, or for doing any mechanical work on it without first being shown the license to carry or possess such weapon. * * * *

3. The license, or a copy thereof, certified by the authority issuing the same, shall be posted in the establishment so that it may be easily read.

4. Under no circumstance shall a weapon or shall ammunition be sold unless the vendor is personally acquainted with the buyer, or the latter clearly establishes his identity. This requirement shall not apply to gunsmith businesses as regards firearms and/or ammunition for export.

5. A record in triplicate shall be kept of each firearm sold and of each sale of ammunition, in books devoted to this purpose which shall be printed in the manner that may be prescribed by the Superintendent of Police of Puerto Rico and the record of each sale shall be personally signed by the buyer and by the person making the sale, each in the presence of the other; and such record shall set forth the date, day and time of the sale, caliber, make, model and factory number of the weapon, caliber, brand and quantity of ammunition, the name, birthplace, address, occupation and civil status of the buyer. Said record shall also state whether the buyer is personally known to the vendor, and in case he is not, the manner in which the buyer accredited his identity. The vendor shall transmit a copy of such record by registered mail, within five days following the sale, to the chief of police of the municipality where he has his business establishment; he shall send the duplicate within seven days following the purchase to the Superintendent of Police

of Puerto Rico, and shall keep the triplicate for six years.

The requirements imposed in the preceding paragraph shall not apply to gunsmith businesses with regard to firearms and ammunition manufactured in, and shipped outside of, Puerto Rico.

Such gunsmith businesses shall comply, as to the manufacture of firearms and ammunition for such export, with the following requirements:

Shall keep complete and appropriate records showing the production or receipt (whether through import, acquisition or otherwise) and disposal, at wholesale or retail, of all firearms and ammunition (including firearms not assembled as well as miscellaneous parts therefor) received or sold in the course of their business. As soon as each transaction is completed or not later than at the closing of business operations the day following such transaction, the same shall be entered upon the records of the gunsmith business. The records prescribed in this paragraph shall be permanent and shall be held in the main establishment in Puerto Rico of the gunsmith business for a period of not less than ten (10) years reckoning from the date the transaction took place or until the gunsmith business is discontinued. Such records shall be available for inspection, in case they are required to be seen by the Secretary of the Treasury, the Secretary of Justice or the Superintendent of Police of Puerto Rico. When the gunsmith business discontinues operation, if same is transferred to another gunsmith business, said records shall reflect such fact and shall be delivered to the successor business. In case the gunsmith business is definitively discontinued and there is no successor business, then the records of the gunsmith business shall show such fact and shall be delivered to the Secretary of the Treasury so he may dispose thereof. The records of a gunsmith business shall show and include:

(a) A full description of each firearm, including

(1) the manufacturer of same;

(2) the serial number of the manufacturer engraved thereon;

(3) caliber of the firearm; and

(4) the model and type of the firearm. In case of wholesale of firearms of the same caliber, model and type, the gunsmith business may include said sales in its record if they are made on the same day and to one sole purchaser.

(b) The name and address of each person from whom the firearm was received (in case the firearm is not the own product of the gunsmith) together with the date of acquisition.

(c) The disposition made of each firearm, including the name and address of the person, natural or artificial, to whom sold and the date it was so disposed of.

6. No firearms or ammunition or imitations, drawings or photographs thereof shall be displayed in any place of a business establishment devoted to the sale of firearms, where they may be seen from outside the business. * * *

7. Nothing provided in this chapter shall affect the provisions of the "Internal Revenue Act" as to the payment of the fees prescribed by said act for issuing licenses to dealers in firearms and ammunition.

8. Any dealer in firearms or ammunition to whom a license has been issued under the provisions of this section, who fails to keep the records and books herein required, or who fails to demand the presentation of a license to have and possess a firearm in cases where the presentation of such license is required by this chapter, shall be guilty of a misdemeanor; and when such

dealer in firearms or ammunition sells or delivers a firearm to any person to whom a license to have and possess a firearm in accordance with the provisions of section 425 of this title has not been issued, he shall be guilty of a felony. The documents and books shall be kept in the business establishment indicated and described in the license and shall be available during regular working hours for inspection by any fiscal officer or peace officer. Where the license has been canceled or revoked as prescribed in subsection 6 of this section, or the business discontinued, such books and records shall be immediately turned over to the Superintendent of Police of Puerto Rico.

437. Acquisition of weapons by persons authorized in section 430. The officials and persons lawfully authorized to have, possess, carry, convey and transport firearms under [provisions of] section 430 of this title, shall obtain such weapons and the ammunition therefor through the heads of their respective departments or services.

438. Sales of weapons and ammunition without licenses prohibited; delivery permit. No dealer in firearms or ammunition shall deliver a firearm or issue the corresponding delivery permit to a purchaser without the latter's handing over to him a license to have and possess a firearm, duly issued in accordance with the provisions of this chapter, or a hunter's, shooter's or other kind of license authorizing him, pursuant to law, to possess a firearm, and unless said license contains an authorization for the purchase of said weapon, and said dealer shall not sell to such purchaser any weapon other than the one described in said license. The dealer in firearms and ammunition shall separate from such license and keep the sales permit and shall return the license to the purchaser. No weapon shall be sold to the holder of a license from which the sales permit has been removed. When the purchaser of a weapon is an authorized hunter or shooter or a person authorized by another law to possess a firearm, the sale and delivery of the weapon shall be made in the same manner provided in subsection (b) of section 429 of this title. No dealer in firearms or ammunition shall sell any quantity of ammunition to any person failing to present a license to carry, or a license to have or possess a firearm. Whenever a sale of ammunition stored in the Deposit of Firearms and Ammunition of the Police is made, the dealer shall hand to the purchaser a signed and sealed authorization addressed to the person in charge of the Deposit for the latter to deliver to the purchaser the ammunition described in the authorization and which is stored in such Deposit of Firearms and Ammunition. Said authorization shall contain a description of the ammunition and of the amount to be delivered. Likewise, it shall contain the name of the purchaser and the number of his license to possess or carry a weapon. Upon delivery of such ammunition to the purchaser the latter shall be required to sign a receipt of delivery which shall be kept in the Deposit of Firearms together with the authorization of delivery.

438a. Report by carrier, warehouseman or depositary; delivery to consignee. Every water, air or overland carrier, and every warehouseman or depositary who receives firearms or munitions for delivery in Puerto Rico shall notify such fact and the name and address of the consignee to the Superintendent of Police as soon as possible, and shall not deliver said merchandise to that consignee until he is authorized to do so by the Superintendent. * * * *

445. Hunting and target shooting arms excepted. The provisions of this chapter shall not apply to the possession, bearing, carrying, transportation and use of hunting and target shooting arms to all of which the acts in force on the matter shall apply.

446. Collections of antique weapons; certificates of uselessness. No provision hereof shall prevent that private collections of antique weapons, which may not be used as weapons, be preserved and maintained and that their owners possess them as ornaments or as matters of curiosity, nor that collections of weapons be kept as relics, but for the preservation of any weapon of those included in this section the prior inspection thereof and approval therefor by the Superintendent of Police of Puerto Rico shall be necessary and the latter shall render such weapons useless, so that the same may not be used as such. The Superintendent of Police of Puerto Rico shall issue a certificate of uselessness of all the weapons possessed under the provisions of this section, and the possession of any weapon not included in said certificate shall be subject to all the provisions hereof. * * * *

454. Definitions. For the purposes of this chapter, the phrases and terms hereinafter listed shall have the following meaning and definition:

(a) "Machinegun" is a weapon of any description, regardless of size, by whatever name it is designated or known, loaded or unloaded, from which a number of bullets contained in a magazine, ribbon or other removable receptacle may be repeatedly or automatically discharged by one single pull of the trigger. The term machinegun also includes submachineguns, as well as any other firearm provided with a magazine to automatically fire all or part of the bullets or ammunition contained in the magazine, or any combination of the parts of a firearm destined to and with the intention of converting, modifying or altering said weapon to make it a machinegun.

(b) "Firearm" means any weapon by whatever name it is known, capable of discharging ammunition through the expanding action of gases.

(c) "Ammunition" means any bullet, cartridge, projectile, buckshot, or any load placed or which may be placed in a firearm to be discharged. * * * *

(f) "Gunsmith" means any person, firm, partnership or corporation engaged in the manufacture, repair, alteration, assembly, cleaning, polishing, engraving or trueing, or performing any mechanical operation for another on any pistol, revolver or other firearm.

(g) "Dealer in firearms or ammunition" shall mean any person, firm, partnership or corporation that, per se, or through its agents, servants or employees, purchases or introduces for sale, sells, trades, exchanges, offers for sale, or displays for sale, or has for sale, in his business establishment or any other place, whether it is also used as a residence or not or for any other purpose, any pistol, revolver, firearm or ammunition.

(h) "Merchant" means any person, firm, corporation or partnership that engages, in a premise open to the public which is not the residence of anyone, in the sale of merchandise and articles which are object of lawful commerce between men.

(i) "Head of Family" means any person who has established a permanent home, domicile or residence under his own responsibility and authority. There may not be more than one head of household in any permanent home, domicile or residence.

- (j) **"Dwelling"** and **"Building"** mean the entire part of a structure used or occupied by a single person or a single family.
- (k) **"Vehicle"** means any device that serves for the transportation of persons or things by land, sea, or air.
- (l) **"Person"**, **"Merchant"** and **"Farmer"** for the purposes of sections 425, 426, 427, 428 and 429 of this title shall include a partnership or corporation, but any license requested for the benefit of such artificial persons under the provisions of the sections mentioned may be granted only in the name of a specific officer or employee of such artificial person, provided such officer or employee meets the requirements prescribed in this act.
- (m) **"Police"** means the Police Force of Puerto Rico.
- (n) **"Superintendent"** means the Superintendent of Police of Puerto Rico.
- (o) **"Rifle"** means a firearm designed to be fired from the shoulder, that fires one or more projectiles. It may be fed by hand or automatically by a magazine or removable receptacle, and fired manually or semi-automatically. The word rifle also includes the word carbine.
- (p) **"Shotgun"** means a long barreled firearm with one (1) or more smoothbore barrels, designed to be fired from the shoulder, that may discharge cartridges of one (1) or more shots. It may be fed by hand or by a removable magazine receptacle, and fired manually, automatically or semi-automatically.

Chapter 57. Revolvers, Pistols or Instruments Which Fire Blank Cartridges

541. Prohibited weapons and instruments. It shall be a misdemeanor, punishable as provided in section 546 of this title, to bear, carry, transport, possess or sell any weapon, instrument or device whose general configuration conforms to that of a revolver or pistol and which is capable of detonating blank shells, blank cartridges or any other unit not provided with a missile, that could produce explosion through combustion, including among such weapons, instruments or devices, those revolvers, pistols, instruments and devices known by the name of starter's pistol, blank cartridge pistols, blank cartridge revolvers, blank starter's pistols, blank pistols, blank revolvers, blank starter's revolvers, or any others whose general configuration conforms to those of a revolver or pistol and which fires blank cartridges, blank capsules, or blank shells. By blank capsule, blank shell or blank cartridge shall be understood any hollow unit, cylindrical or cubic in form, not provided with a missile, containing in its interior any chemical agent or compound capable of producing explosion by combustion, and provided with a percussion-sensitive detonator.

542. Exceptions. Excepted from the provisions of section 541 above are revolvers especially manufactured for sportive events and theatrical shows and used for such purposes, provided the barrel thereof is a solid cylinder with no orifice whatsoever and ending in a cone.